

REMARKS

Claims 1, 4-6, and 8-11 are pending in this application. By this amendment, the Applicant has amended claims 1, 8, and 11. The Applicant respectfully submits that claims 1, 8, and 11 do not contain new matter, and that the invention, as defined by claims 1, 4-6, and 8-11, is patentable over the prior art.

Based on the foregoing amendments and the following Remarks, the application is deemed to be in condition for allowance and action to that end is respectfully requested.

I. THE 35 U.S.C. §112 REJECTIONS AND “FORMAL” MATTERS

The Examiner asserts that claims 1 and 11 are objected to for formal matters. Particularly, claims 1 and 11 are objected to because the Examiner asserts that claim 1 needs a semicolon after “term” and claim 11 recites “tender of a multi-variable commodity having at ‘lest’ one term”. The Examiner also asserts that claims 1 and 8-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As noted above, the Applicant has amended claims 1, 8, and 11 so as to overcome the asserted objections to the claims as well as to overcome the 35 U.S.C. §112 rejection. Particularly, the Applicant has amended claim 1 to require, among other things, “a processing device for generating at least one tender, wherein said at least one tender is created by said tender initiator”, “wherein said at least one tender includes an authorization to receive a request to change said at least one term of said multi-variable commodity, said request being submitted by said tender recipient”, “a communication network for transmitting information, corresponding to said at least one tender, to said

tender recipient”, “wherein said at least one term is changed to create an amended tender”, “herein said amended tender includes said at least one term and a changed term”, and “wherein said tender initiator creates said amended tender upon accepting said request to change said at least one term from said tender recipient.”

The Applicant has also amended claim 8 to require a processing device comprising “receives said stored information, wherein said stored information includes information for creating said at least one tender”, “analyzes said stored information to create analyzed information”, “transmits said analyzed information to a further processing device, wherein said analyzed information is transmitted in response to said received data stored information.”

The Applicant has amended claim 11 to require, among other things, “wherein the at least one term is changed to create an amended tender”, “wherein the amended tender includes the at least one term and a changed term”, and “wherein the tender initiator creates the amended tender upon accepting the request to change the at least one term from the tender recipient.” Applicant respectfully submits that the above amendment to each of the respective claims provides the clarification sought by the Examiner.

In view of the foregoing, Applicants respectfully request that the Examiner’s 35 U.S.C. §112 rejection of claims 1 and 8-11 be withdrawn.

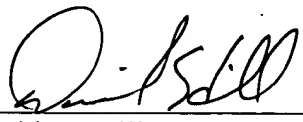
II. CONCLUSION

Applicants submit that the specification, drawings, and all pending claims represent a patentable contribution to the art and are in condition for allowance. No new matter has been added. Early and favorable action is accordingly solicited.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

Respectfully submitted,

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